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Hearing Date: April 30, 2025, at
11:00 a.m.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Chapter 7 Proceeding
Denese F. Schunk 25-10095 AMC
a/k/a Denese F. Defelice
Debtor(s)

MOTION OF CITIZENS BANK, N.A. FOR RELIEF OF FROM THE AUTOMATIC STAY

AND NOW, comes secured Creditor, Citizens Bank, N.A. (Movant) by and through its counsel, Mary F. Kennedy, and files this Motion to obtain an order for Relief from the Automatic Stay due to lack of equity in debtor(s) property and debtor(s) failure to provide Movant with adequate protection of its interest in the property which is the basis of the creditor's security.

1. On or about January 9, 2025, Debtor(s) filed a Chapter 7 Bankruptcy Petition.
2. As of March 11, 2025, total owing to, Citizens Bank, N.A. is \$157,412.11, resulting from a mortgage executed on Debtor(s)'s property located at 6244 Marsden St., Philadelphia, PA 19135, referred to as the "property." Said Mortgage was recorded on December 28, 2022 in the Philadelphia County Recorder of Deeds Office at Doc Id# 54135177 (See Exhibit "A" attached).
3. Debtor(s) in Schedule D has valued of the property is \$153,200.00. (See Exhibit "B" attached.)
4. There is no equity in the property.
5. Debtor(s)' Statement of Intent indicates that Debtor(s) will retain the property and "pay." (See Exhibit "C" attached.)
6. Debtor(s) is contractually in arrears for six (6) months, from October 6, 2024 to March 6, 2025. The total due is \$6,736.80.
7. Pursuant to 11 U.S.C.A. section 362 (d) (1), cause exists to grant Movant relief from the stay.

WHEREFORE, Movant respectfully requests this Honorable Court ORDER:

That Relief from the Automatic Stay be granted to Citizens Bank, N.A., to proceed with foreclosure action to obtain all other Relief available under Non-Bankruptcy Law. That the relief granted by the Court will survive the conversion of this bankruptcy case to a case under any other Chapter of the Bankruptcy Code. And that bankruptcy Rule 4001(a)(3) is not applicable, and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non Bankruptcy law. Movant respectfully requests that reasonable attorney fees and costs associated with this Motion be awarded to Movant.

Respectfully Submitted,

/s/ Mary F. Kennedy, Esq.

Dated: March 21, 2025